

Senate Chamber, Atlanta, Georgia  
Monday, February 13, 2006  
Seventeenth Legislative Day

The Senate met pursuant to adjournment at 1:30 p.m. today and was called to order by the President.

Senator Thomas of the 54th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Rivers, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following Bills of the House:

HB 644. By Representatives Coleman of the 97th, McCall of the 30th, Bridges of the 10th and Cummings of the 16th:

A BILL to be entitled an Act to amend Code Section 47-2-96.1 of the Official Code of Georgia Annotated, relating to creditable service in the Employees' Retirement System of Georgia for certain temporary full-time service, so as to change certain provisions relating to allowable service; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 984. By Representatives Coan of the 101st, Lunsford of the 110th, Ehrhart of the 36th, Ralston of the 7th, Coleman of the 97th and others:

A BILL to be entitled an Act to amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to provide that a student whose parent is in military service is granted excused absences from school to visit with his or her parent prior to deployment or while on leave; to provide for related matters; to repeal conflicting laws; and for other purposes.

- HB 1066. By Representatives Manning of the 32nd, Ehrhart of the 36th, O'Neal of the 146th, Cooper of the 41st, Brown of the 69th and others:

A BILL to be entitled an Act to amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of hazardous conditions, preventable diseases, and metabolic disorders, so as to change certain provisions relating to a system for screening newborns for certain metabolic and genetic disorders; to provide for the establishment of fees; to provide for religious objection to screening; to change certain provisions relating to screening for phenylketonuria, sickle cell anemia, and sickle cell trait; to provide for related matters; to repeal conflicting laws; and for other purposes.

- HB 1067. By Representatives Forster of the 3rd, Davis of the 109th, Manning of the 32nd and Fludd of the 66th:

A BILL to be entitled an Act to amend Chapter 6 of Title 28 of the Official Code of Georgia Annotated, relating to interstate cooperation, so as to change certain provisions relating to creation and membership of the Georgia Commission on Interstate Cooperation; to provide for allowances; to change certain provisions relating to functions of the Georgia Commission on Interstate Cooperation; to change certain provisions relating to a declaration that the Council of State Governments, Council of State Governments–Clairmont Road, L.L.C., and Southern Legislative Conference are joint governmental agencies of this state; to provide that certain organizations are joint governmental agencies of this state; to repeal conflicting laws; and for other purposes.

- HB 1137. By Representatives Geisinger of the 48th, Jones of the 46th, Rice of the 51st and Burkhalter of the 50th:

A BILL to be entitled an Act to provide for the composition of state house districts and, in particular, House Districts 46, 48, 50, and 51; to provide for the election of such Representatives; to provide when such Representatives so elected shall take office; to provide for the continuation of present house districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has passed by the requisite constitutional majority the following Bill of the Senate:

SB 470. By Senators Wiles of the 37th, Stoner of the 6th, Hill of the 32nd and Rogers of the 21st:

A BILL to be entitled an Act to amend an Act creating the State Court of Cobb County, approved March 26, 1964 (Ga. L. 1964, p. 3211), as amended, particularly by an Act approved May 6, 2005 (Ga. L. 2005, p. 3872), so as to change the compensation of the solicitor-general; to change the provisions relating to the compensation of assistant solicitors; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 531. By Senators Rogers of the 21st, Hudgens of the 47th and Chapman of the 3rd:

A BILL to be entitled an Act to amend Code Section 33-7-11 of the Official Code of Georgia Annotated, relating to uninsured motorist coverage under motor vehicle liability policies, so as to change certain provisions relating to damages recoverable by an insured under uninsured motorist coverage; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Insurance and Labor Committee.

SB 532. By Senators Whitehead, Sr. of the 24th, Williams of the 19th, Goggans of the 7th, Seabaugh of the 28th, Rogers of the 21st and others:

A BILL to be entitled an Act to amend provisions of the O.C.G.A. so as to enhance the protection of facilities licensed by the United States Nuclear Regulatory Commission; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Public Safety and Homeland Security Committee.

SB 533. By Senators Bulloch of the 11th, Smith of the 52nd and Hamrick of the 30th:

A BILL to be entitled an Act to amend Chapter 32 of Title 31 of the Official Code of Georgia Annotated, relating to living wills, so as to revise the statutory living will form; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Judiciary Committee.

SB 534. By Senators Bulloch of the 11th and Hamrick of the 30th:

A BILL to be entitled an Act to amend Code Section 53-12-173 of the Official Code of Georgia Annotated, relating to compensation for services, so as to specify that when a trustee's compensation is not specified in the trust instrument it shall be based on the compensation schedule of conservators; to provide for other related matters; to repeal conflicting laws; and for other purposes.

Referred to the Judiciary Committee.

SB 535. By Senators Hamrick of the 30th, Miles of the 43rd, Hudgens of the 47th, Bulloch of the 11th and Seabaugh of the 28th:

A BILL to be entitled an Act to amend Part 5 of Article 3 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to pawnbrokers, so as to define terms; to require registration with the Governor's Office of Consumer Affairs; to provide for notification of repossession of a motor vehicle; to provide for redemption of the motor vehicle; to provide for a commercially reasonable sale; to provide for a return of surplus from the sale to the pledgor; to require a mandatory principal payment in certain situations; to provide for additional disclosures on motor vehicle title pawn tickets; to provide procedures for military members and their spouses; to provide for related matters; to provide for severability; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Banking and Financial Institutions Committee.

SB 536. By Senators Miles of the 43rd and Jones of the 10th:

A BILL to be entitled an Act to amend Chapter 5A of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide for the submission of data relating to an individual's employer for applicants and their dependents receiving health care benefits under the state Medicaid program, PeachCare for Kids Program, or any other state funded or administered health care program; to provide that the Department of Community Health submit an annual report to the General Assembly regarding the data relating to the employers; to provide that the report shall be available to any member of the public upon request; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Insurance and Labor Committee.

SB 537. By Senators Adelman of the 42nd, Brown of the 26th, Golden of the 8th, Stoner of the 6th, Seay of the 34th and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to provide a short title; to provide legislative intent and findings; to provide definitions; to provide for certain prohibitions with regard to cloning and sale of tissues; to provide for penalties; to provide for informed consent for donations; to create an umbilical cord and placental tissue bank; to provide for donations and information concerning donations; to provide for certain procedures and costs and fees associated with such bank; to provide for certain employee protections; to provide for a review board and the membership, appointment, terms of office, and duties of such review board; to provide for certain funding mechanisms; to provide for related matters; to amend Article 3 of Chapter 7 of Title 48 of the O.C.G.A., relating to income tax returns and information, so as to authorize taxpayers to make certain contributions through the income tax payment and refund process; to provide an effective date and for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

SB 538. By Senator Douglas of the 17th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige and special license plates for certain persons and vehicles, so as to provide for special license plates supporting the Global War on Terrorism and Iraqi freedom; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such license plates; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Public Safety and Homeland Security Committee.

SB 539. By Senator Douglas of the 17th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige and special license plates for certain persons and vehicles, so as to provide for special license plates supporting the Global War on Terrorism and Operation Enduring Freedom; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such license plates; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Public Safety and Homeland Security Committee.

SR 838. By Senator Schaefer of the 50th:

A RESOLUTION to urge and support the full funding of state and local efforts to clean up hazardous waste sites and properly address waste-related activities, and control erosion and sedimentation; and for other purposes.

Referred to the Natural Resources and the Environment Committee.

SR 839. By Senators Fort of the 39th, Tate of the 38th, Jones of the 10th and Reed of the 35th:

A RESOLUTION memorializing the 1906 Atlanta Race Riot and recognizing September 22-25, 2006, as "Days of Remembrance"; and for other purposes.

Referred to the Rules Committee.

SR 844. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION recognizing May 1st through 7th as "Bluegrass Music Week in Georgia"; and for other purposes.

Referred to the Rules Committee.

The following House legislation was read the first time and referred to committee:

HB 644. By Representatives Coleman of the 97th, McCall of the 30th, Bridges of the 10th and Cummings of the 16th:

A BILL to be entitled an Act to amend Code Section 47-2-96.1 of the Official Code of Georgia Annotated, relating to creditable service in the Employees' Retirement System of Georgia for certain temporary full-time service, so as to change certain provisions relating to allowable service; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Retirement Committee.

HB 984. By Representatives Coan of the 101st, Lunsford of the 110th, Ehrhart of the 36th, Ralston of the 7th, Coleman of the 97th and others:

A BILL to be entitled an Act to amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so

as to provide that a student whose parent is in military service is granted excused absences from school to visit with his or her parent prior to deployment or while on leave; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Education and Youth Committee.

HB 1066. By Representatives Manning of the 32nd, Ehrhart of the 36th, O'Neal of the 146th, Cooper of the 41st, Brown of the 69th and others:

A BILL to be entitled an Act to amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of hazardous conditions, preventable diseases, and metabolic disorders, so as to change certain provisions relating to a system for screening newborns for certain metabolic and genetic disorders; to provide for the establishment of fees; to provide for religious objection to screening; to change certain provisions relating to screening for phenylketonuria, sickle cell anemia, and sickle cell trait; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

HB 1067. By Representatives Forster of the 3rd, Davis of the 109th, Manning of the 32nd and Fludd of the 66th:

A BILL to be entitled an Act to amend Chapter 6 of Title 28 of the Official Code of Georgia Annotated, relating to interstate cooperation, so as to change certain provisions relating to creation and membership of the Georgia Commission on Interstate Cooperation; to provide for allowances; to change certain provisions relating to functions of the Georgia Commission on Interstate Cooperation; to change certain provisions relating to a declaration that the Council of State Governments, Council of State Governments—Clairmont Road, L.L.C., and Southern Legislative Conference are joint governmental agencies of this state; to provide that certain organizations are joint governmental agencies of this state; to repeal conflicting laws; and for other purposes.

Referred to the Interstate Cooperation Committee.

HB 1137. By Representatives Geisinger of the 48th, Jones of the 46th, Rice of the 51st and Burkhalter of the 50th:

A BILL to be entitled an Act to provide for the composition of state house districts and, in particular, House Districts 46, 48, 50, and 51; to provide for the

election of such Representatives; to provide when such Representatives so elected shall take office; to provide for the continuation of present house districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Reapportionment and Redistricting Committee.

The following committee reports were read by the Secretary:

Mr. President:

The Appropriations Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 1026     Do Pass by substitute

Respectfully submitted,  
Senator Hill of the 4th District, Chairman

Mr. President:

The Judiciary Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 700     Do Pass

Respectfully submitted,  
Senator Smith of the 52nd District, Chairman

Mr. President:

The Retirement Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 244     Do Pass by substitute  
SB 427     Do Pass by substitute

Respectfully submitted,  
Senator Heath of the 31st District, Chairman



Mr. President:

The State and Local Governmental Operations Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 1186    Do Pass  
 HB 1201    Do Pass  
 SB 500     Do Pass by substitute

Respectfully submitted,  
 Senator Wiles of the 37th District, Chairman

The following legislation was read the second time:

HB 81	HB 1052	SB 370	SB 385	SB 520	SR 785
HB 173	HB 1080	SB 384	SB 469	SR 435	SR 789
HB 1042	SB 248				

Senator Shafer of the 48th introduced the doctor of the day, Dr. Jennifer Burger.

Senator Chapman of the 3rd asked unanimous consent that Senator Hill of the 4th be excused. The consent was granted, and Senator Hill was excused.

Senator Brown of the 26th asked unanimous consent that Senator Tarver of the 22nd be excused. The consent was granted, and Senator Tarver was excused.

Senator Chance of the 16th asked unanimous consent that Senator Douglas of the 17th be excused. The consent was granted, and Senator Douglas was excused.

The roll was called and the following Senators answered to their names:

Adelman	Henson	Shafer,D
Balfour	Hill,Judson	Smith
Brown	Hooks	Starr
Bulloch	Hudgens	Staton
Butler	Johnson	Stephens
Cagle	Jones	Stoner
Carter	Kemp	Tate
Chance	Me V Bremen	Thomas,D
Chapman	Miles	Thomas,R
Fort	Moody	Thompson,C
Goggans	Mullis	Thompson,S

Golden	Pearson	Tolleson
Grant	Powell	Unterman
Hamrick	Rogers	Weber
Harbison	Schaefer	Whitehead
Harp	Seabaugh	Wiles
Heath	Seay	Williams

Not answering were Senators:

Douglas (Excused)	Hill, Jack (Excused)	Reed
Tarver (Excused)	Zamarripa	

The members pledged allegiance to the flag.

Senator Meyer von Bremen of the 12th introduced the chaplain of the day, Dr. Donald M. Kea of Albany, Georgia, who offered scripture reading and prayer.

Senator Butler of the 55th introduced Xernona Clayton, commended by SR 656, adopted previously. Xernona Clayton addressed the Senate briefly.

Senator Meyer von Bremen of the 12th recognized representatives of the Georgia High School/High Tech Program, commended by SR 800, adopted previously.

Senator Zamarripa of the 36th introduced Ambassador of Mongolia, H. E. Ravdan Bold. Ambassador Bold addressed the Senate briefly. The President made a presentation to the Ambassador from the Senate.

The following resolution was read and adopted:

SR 842. By Senators Carter of the 13th and Kemp of the 46th:

A RESOLUTION recognizing Georgia 4-H, a unit of the Cooperative Extension Service of the University of Georgia in the College of Agricultural and Environmental Sciences and inviting Mr. Cody Thomas, Dr. Bo Ryles, Dr. Scott Angle, Dr. Mel Garber and the 2005-2006 4-H Leadership Team to appear before the Senate; and for other purposes.

Senator Carter of the 13th recognized representatives of Georgia 4-H, commended by SR 842.

The following message was received from the House through Mr. Rivers, the Clerk thereof:

Mr. President:

The House has adopted by the requisite constitutional majority the following Resolution of the House:

HR 1344. By Representatives Keen of the 179th, Burkhalter of the 50th and Smith of the 129th:

A RESOLUTION relative to adjournment; and for other purposes.

The following resolutions were read and adopted:

SR 825. By Senators Johnson of the 1st and Thomas of the 2nd:

A RESOLUTION commending Phillip Shaw on becoming an Eagle Scout; and for other purposes.

SR 826. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION commending Dr. Jerry Snider, the 2007 Norris Elementary School Teacher of the Year; and for other purposes.

SR 827. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION commending Neal Tam, the 2007 Thomson Middle School Teacher of the Year; and for other purposes.

SR 828. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION commending Liz Evans, the 2007 Dearing Elementary School Teacher of the Year; and for other purposes.

SR 829. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION commending Jennifer Sandifer, the 2007 Maxwell Elementary School Teacher of the Year; and for other purposes.

SR 830. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION commending Ann Pereda, the 2007 Thomson High School Teacher of the Year; and for other purposes.

SR 831. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION commending and recognizing the Lincoln County High School Red Devils football team for winning the 2005 Class A State Championship; and for other purposes.

SR 832. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION commending Dr. Jerry Snider, the 2007 McDuffie County Teacher of the Year; and for other purposes.

SR 833. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION commending Jennifer Eriksen, the 2007 Thomson Elementary Teacher of the Year; and for other purposes.

SR 834. By Senators Miles of the 43rd, Tate of the 38th, Jones of the 10th and Reed of the 35th:

A RESOLUTION commending Dr. Yvonne S. Butler; and for other purposes.

SR 835. By Senators Douglas of the 17th, Cagle of the 49th, Johnson of the 1st, Williams of the 19th, Hill of the 4th and others:

A RESOLUTION commending the Georgia National Guard, Company C, 1st Battalion, 121st Infantry Regiment, 48th Infantry Brigade; and for other purposes.

SR 836. By Senator Hill of the 32nd:

A RESOLUTION commending Michael Palmer; and for other purposes.

SR 837. By Senators Hill of the 32nd, Thompson of the 33rd and Rogers of the 21st:

A RESOLUTION recognizing and commending 2007 Georgia Teacher of the Year finalist for Cobb County Diana Lossner; and for other purposes.

SR 840. By Senator Chance of the 16th:

A RESOLUTION commending Jonathan Edward Davis on becoming an Eagle Scout; and for other purposes.

SR 841. By Senator Chance of the 16th:

A RESOLUTION commending Mason Irvin on becoming an Eagle Scout; and for other purposes.

SR 843. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION remembering and honoring the life of Army Specialist Joseph Alan Lucas, Sr.; and for other purposes

SR 845. By Senator Whitehead, Sr. of the 24th:

A RESOLUTION remembering and honoring the life of Mr. U. H. Pittman, Jr.; and for other purposes.

SR 846. By Senator Grant of the 25th:

A RESOLUTION commending Miss Blair Harshbarger and congratulating her on winning the 2006 Georgia Junior Miss Competition; and for other purposes.

Senator Stephens of the 27th asked unanimous consent that the following bill be withdrawn from the Senate Judiciary Committee and committed to the Senate Transportation Committee:

HB 294. By Representatives Miller of the 106th, Benfield of the 85th, Day of the 163rd, Smith of the 129th and Mumford of the 95th:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for photographic speed-monitoring systems; to provide for definitions and operating requirements relative to such photographic speed-monitoring systems; to provide for a civil monetary penalty for violations; to provide for enforcement; to provide for related matters; to repeal conflicting laws; and for other purposes.

The consent was granted, and HB 294 was committed to the Senate Transportation Committee.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

**SENATE LOCAL CONSENT CALENDAR**

Monday, February 13, 2006  
Seventeenth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 1186            Stoner of the 6th  
                     Rogers of the 21st  
                     Hill of the 32nd  
                     Thompson of the 33rd  
                     Wiles of the 37th  
**COBB COUNTY**

A BILL to be entitled an Act to amend an Act creating the State Court of Cobb County, approved March 26, 1964 (Ga. L. 1964, p. 3211), as amended, particularly by an Act approved May 5, 2005 (Ga. L. 2005, p. 3609), so as to change the compensation of the judges of the state court; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1201           Stoner of the 6th  
                     Hill of the 32nd  
                     Thompson of the 33rd  
                     Wiles of the 37th  
**CITY OF MARIETTA**

A BILL to be entitled an Act to amend an Act creating a system of public schools for the City of Marietta in the County of Cobb, approved December 29, 1890 (Ga. L. 1890-91, Vol. II, p. 1014), as amended, so as to provide for compensation of the board; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Adelman	E Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Johnson	Stoner

Y Cagle	Y Jones	Y Tarver
Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
Y Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
Y Henson	Y Shafer,D	

On the passage of the local legislation, the yeas were 50, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

SENATE RULES CALENDAR  
MONDAY, FEBRUARY 13, 2006  
SEVENTEENTH LEGISLATIVE DAY

SB 442	Child Abuse; reporting; change certain provisions (ED&Y-56th)
SB 441	Milk; milk products; standards and requirements; change certain provisions (AG&CA-11th)
SB 447	Georgia Agricultural Commodities Promotion Act; create Georgia Blueberry Commission; membership, appointment, election, terms (AG&CA-7th)
SB 381	State Flags; qualifying public safety officers killed in the line of duty; honor service (PF) (Amendment)(PS&HS-29th)
SB 453	Biodiesel Fuels; require use by certain vehicles operated by local school districts; local governments (Amendment)(TRANS-46th)
SB 400	Motor Vehicles; law enforcement agencies; use of properly equipped all-terrain vehicles (PS&HS-20th)

Respectfully submitted,

/s/ Balfour of the 9th, Chairman  
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 442. By Senators Moody of the 56th, Carter of the 13th, Meyer von Bremen of the 12th, Kemp of the 46th, Weber of the 40th and others:

A BILL to be entitled an Act to amend Chapter 7 of Title 19 of the Official Code of Georgia Annotated, relating to parent and child relationship generally, so as to change certain provisions relating to reporting of child abuse; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	E Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Fort	Y Mullis	Y Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
Y Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
Henson	Y Shafer,D	



On the passage of the bill, the yeas were 52, nays 0.

SB 442, having received the requisite constitutional majority, was passed.

Senator Whitehead of the 24th asked unanimous consent that Senator Carter of the 13th be excused. The consent was granted, and Senator Carter was excused.

SB 441. By Senators Bulloch of the 11th, Kemp of the 46th, Cagle of the 49th, Stephens of the 27th and Tolleson of the 20th:

A BILL to be entitled an Act to amend Article 7 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to milk and milk products, so as to change certain provisions relating to standards and requirements generally; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	E Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
E Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	Y Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
Y Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
Y Henson	Y Shafer,D	

On the passage of the bill, the yeas were 54, nays 0.

SB 441, having received the requisite constitutional majority, was passed.

SB 447. By Senators Goggans of the 7th, Bulloch of the 11th, Kemp of the 46th, Pearson of the 51st, Henson of the 41st and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 2 of the O.C.G.A., the "Georgia Agricultural Commodities Promotion Act," so as to create the Georgia Blueberry Commission; to define certain terms; to provide for membership, appointment, election, terms, and compensation; to provide for powers; to provide for organization; to provide for the receipt, collection, and disbursement of funds; to provide for liability; to provide for marketing orders; to provide for notice and hearing; to provide for publication of a certain report; to provide for the levying and collection of assessments; to provide for the maintenance of records; to provide for compliance; to provide for a penalty; to provide for applicability of the Georgia Administrative Procedure Act; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	E Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
E Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	N Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	Y Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
Y Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
Y Henson	Y Shafer,D	

On the passage of the bill, the yeas were 53, nays 1.

SB 447, having received the requisite constitutional majority, was passed.

Senator Kemp of the 46th asked unanimous consent that Senator Goggans of the 7th be excused. The consent was granted, and Senator Goggans was excused.

SB 381. By Senators Harp of the 29th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Article 1 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state and other flags, so as to provide state flags to honor Georgia public safety officers who are killed in the line of duty or who died following extended service to the public of this state; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The Senate Public Safety and Homeland Security Committee offered the following amendment:

*Amend SB 381 by striking line 15 of page 1 and inserting in lieu thereof the following:*  
the citizens of the State of Georgia. To carry out this purpose, the Secretary of State shall, if requested,

On the adoption of the amendment, the yeas were 42, nays 0, and the committee amendment was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Y Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
E Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	Y Thompson,S
E Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles

Y Harp  
Y Heath  
Y Henson

Y Seabaugh  
Y Seay  
Y Shafer,D

Y Williams  
Y Zamarripa

On the passage of the bill, the yeas were 52, nays 0.

SB 381, having received the requisite constitutional majority, was passed as amended.

SB 453. By Senators Kemp of the 46th, Williams of the 19th, Goggans of the 7th, Zamarripa of the 36th and Smith of the 52nd:

A BILL to be entitled an Act to amend Article 10 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to contracts and purchases by public schools, so as to require the use of biodiesel fuels in certain vehicles operated by local school districts; to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to require the use of biodiesel fuels in certain vehicles operated by local governments; to amend Article 1 of Chapter 19 of Title 50 of the Official Code of Georgia Annotated, relating to purchase and use of motor vehicles by state government, so as to require the use of biodiesel fuels in certain vehicles operated by state government; to repeal conflicting laws; and for other purposes.

The Senate Transportation Committee offered the following amendment:

*Amend SB 453 by striking line 9 of page 1 and inserting in lieu thereof the following:*  
government; to provide legislative findings and declarations; to repeal conflicting laws; and for other purposes.

*By redesignating Sections 1 through 4 as Sections 2 through 5, respectively, and inserting immediately after the enacting clause the following:*

#### **SECTION 1.**

The General Assembly finds and declares as follows:

- (1) Georgia currently consumes nearly 6.5 billion gallons of gasoline and diesel fuel annually;
- (2) Gasoline and diesel production depends primarily on imported petroleum;
- (3) Using clean alternative fuels instead of fossil fuels can provide for a cleaner environment by reducing air and water contamination;
- (4) Specifically, use of clean renewable fuels such as biodiesel and ethanol can provide additional benefits for this state;
- (5) This state has the potential to create a biofuels industry that would serve as a model for the southern United States and attract additional industries;

- (6) Biofuels industry could add over \$1 billion of economic activity to this state and increase the state's income tax collection by over \$10 million annually;
- (7) Nearly 500 direct and over 1,000 indirect jobs could be created by biofuels industry in this state; and
- (8) Creating a biofuels industry can add additional value to Georgia's agricultural and forestry commodities, including biomass, and support land values in rural areas of this state.

*By striking line 21 of page 1 and inserting in lieu thereof the following:*

shall be biodiesel fuel, to the extent that such fuel is compatible with the technology of the vehicles or equipment used and the cost of available biodiesel fuel at time of purchase does not exceed 105 percent of the cost of conventional fuel. This subsection shall apply to local school districts that receive

*By striking line 11 of page 2 and inserting in lieu thereof the following:*

use in diesel engine motor vehicles it operates shall be biodiesel fuel, to the extent that such fuel is compatible with the technology of the vehicles or equipment used and the cost of available biodiesel fuel at time of purchase does not exceed 105 percent of the cost of conventional fuel."

*By striking line 22 of page 2 and inserting in lieu thereof the following:*

for use in diesel engine motor vehicles it operates shall be biodiesel fuel, to the extent that such fuel is compatible with the technology of the vehicles or equipment used and the cost of available biodiesel fuel at time of purchase does not exceed 105 percent of the cost of conventional fuel."

Senators Kemp of the 46th, Smith of the 52nd, Goggans of the 7th, Zamarripa of the 36th and Williams of the 19th offered the following amendment A:

*Amend the Senate Transportation Committee amendment to SB 453 (AM 25 0861) by striking line 26 of page 1 through line 10 of page 2 and inserting in lieu thereof the following:*

*By striking line 21 of page 1 and inserting in lieu thereof the following:*

shall be biodiesel fuel, to the extent that such fuel is available and compatible with the technology of the vehicles or equipment used and the cost to the local school district of available blended biodiesel fuel at time of purchase does not exceed 105 percent of the cost to the local school district of unblended petroleum diesel fuel at such time. This subsection shall apply to local school districts that receive

*By striking line 11 of page 2 and inserting in lieu thereof the following:*

use in diesel engine motor vehicles it operates shall be biodiesel fuel, to the extent that such fuel is available and compatible with the technology of the vehicles or equipment used and the cost to the local government of available blended biodiesel fuel at time of

purchase does not exceed 105 percent of the cost to the local government of unblended petroleum diesel fuel at such time."

*By striking line 22 of page 2 and inserting in lieu thereof the following:*

for use in diesel engine motor vehicles it operates shall be biodiesel fuel, to the extent that such fuel is available and compatible with the technology of the vehicles or equipment used and the cost to the state government entity of available blended biodiesel fuel at time of purchase does not exceed 105 percent of the cost to the state government entity of unblended petroleum diesel fuel at such time."

On the adoption of the amendment, the yeas were 44, nays 0, and the Kemp et al. amendment A was adopted.

On the adoption of the amendment, the yeas were 45, nays 2, and the committee amendment was adopted as amended.

Senators Kemp of the 46th, Williams of the 19th, Goggans of the 7th, Zamarripa of the 36th, Shafer of the 48th and others offered the following amendment #1:

*Amend SB 453 by striking line 19 of page 1 and inserting in lieu thereof the following:*

(b) On and after January 1, 2008, at least 2 percent of the total volume of fuel purchased

*By striking line 9 of page 2 and inserting in lieu thereof the following:*

(b) On and after January 1, 2008, at least 2 percent of the total volume of fuel purchased

*By striking line 20 of page 2 and inserting in lieu thereof the following:*

(b) On and after January 1, 2008, at least 2 percent of the total volume of fuel purchased

On the adoption of the amendment, the yeas were 44, nays 2, and the Kemp et al. amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman  
Y Balfour  
Y Brown  
Y Bulloch

Y Hill,Jack  
Y Hill,Judson  
Y Hooks  
Y Hudgens

Y Smith  
Y Starr  
Y Staton  
Y Stephens

Y Butler	N Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
N Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	Y Thompson,S
Y Goggans	Y Pearson	N Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
Y Harp	N Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
Y Henson	Y Shafer,D	

On the passage of the bill, the yeas were 52, nays 4.

SB 453, having received the requisite constitutional majority, was passed as amended.

SB 400. By Senators Tolleson of the 20th, Hill of the 4th, Adelman of the 42nd, Kemp of the 46th, Bulloch of the 11th and others:

A BILL to be entitled an Act to amend Part 5 of Article 1 of Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to equipment of law enforcement and emergency vehicles, so as to allow the use of properly equipped all-terrain vehicles by law enforcement agencies; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
Y Balfour	Y Hill,Judson	Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D

Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Fort	Y Mullis	Y Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
Y Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
Y Henson	Y Shafer,D	

On the passage of the bill, the yeas were 53, nays 0.

SB 400, having received the requisite constitutional majority, was passed.

The following resolution was read and adopted:

HR 1344. By Representatives Keen of the 179th, Burkhalter of the 50th and Smith of the 129th:

#### A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that, unless otherwise provided by subsequent resolution of the General Assembly, the meeting dates and dates of adjournment for the 2006 regular session of the General Assembly for the period of February 14, 2006, through February 28, 2006, shall be as follows:

Tuesday, February 14.....	in session for legislative day 18
Wednesday, February 15 .....	in session for legislative day 19
Thursday, February 16 .....	in session for legislative day 20
Friday, February 17.....	in adjournment
Saturday, February 18.....	in adjournment
Sunday, February 19 .....	in adjournment
Monday, February 20.....	in adjournment
Tuesday, February 21.....	in session for legislative day 21
Wednesday, February 22 .....	in session for legislative day 22
Thursday, February 23 .....	in session for legislative day 23
Friday, February 24.....	in adjournment
Saturday, February 25 .....	in adjournment



Sunday, February 26 .....in adjournment  
 Monday, February 27 .....in adjournment  
 Tuesday, February 28.....in session for legislative day 24

BE IT FURTHER RESOLVED that on and after February 28, 2006, the periods of adjournment of the 2006 session, if any, shall be as specified by subsequent resolution of the General Assembly, except that for the remainder of the 2006 regular session, unless otherwise provided by subsequent resolution, the General Assembly shall adjourn at the close of the legislative day on each Friday on which the General Assembly is in session and shall reconvene on the following Monday.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hours for closing and convening the Senate on each day may be as ordered by the Senate; and the hours for closing and convening the House on each day may be as ordered by the House.

Senator Williams of the 19th moved that the Senate adjourn until 10:00 a.m. Tuesday, February 14, 2006.

The motion prevailed, and the President announced the Senate adjourned at 3:55 p.m.